

¹ Under the prison mailbox rule, a *pro se* prisoner's court filing is deemed filed on the date it is delivered to prison authorities for mailing.” *United States v. Glover*, 686 F.3d 1203, 1205 (11th Cir. 2012) (citation and internal quotation marks omitted). The mailbox rule does not apply to non-prisoner litigants. *Kelly H. v. Comm’r, Soc. Sec. Admin.*, 2019 WL 2323552, at *1 n.1 (N.D. Ga. Apr. 5, 2019). Out of an abundance of caution, the Court vacated its previous order. Doc. 8; *cf. Wayne v. Jarvis*, 197 F.3d 1098, 1104 (11th Cir. 1999) (overruled on other grounds) (“Liberal construction [of *pro se* plaintiffs’ complaints] does not mean liberal deadlines.” (citation omitted)).

On July 25, the Court granted Tate-Benson's motion to proceed IFP and dismissed her claims without prejudice. Doc. 9. In that same order, the Court denied Coosa Nation's motion to proceed IFP, ordered it to pay the \$400 filing fee by August 5,² and notified it that failure to do so "will result in dismissal of its case." *Id.* at 6 (citations omitted). On July 30, Coosa and Tate-Benson filed a notice of appeal of the Court's vacated July 2 order. Doc. 10. On August 21, Coosa filed another notice of appeal of the Court's July 25 order. Doc. 14. The Eleventh Circuit dismissed both appeals. Docs. 17; 18.

On August 14, the Court ordered Coosa Nation to show cause why it had not paid the filing fee. Doc. 13. As of December 2, Coosa Nation has failed to pay the filing fee and has failed to respond to the Court's show cause order. Accordingly, Coosa Nation's complaint (Doc. 1) is **DISMISSED without prejudice**.

SO ORDERED, this 2nd day of December, 2019.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

² Coosa Nation was also notified in the same order that "if [it] pays the required filing fee, it must retain counsel or risk its complaint being dismissed." Doc. 9 at 6 n.6 (citations omitted). As of December 2, there is no counsel of record in this case.